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Conference Abstract

Building Modern Standards for Resolving Legacy Acquisitions: A Reassessment of the NMNH Entomology Transaction Records

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Abstract

In recent decades, entomologists and entomological collecting have experienced significant culture shock as countries have rapidly changed their regulations regarding collecting and export permits for insects. Beginning in the 1960s, countries across the globe began enacting strict wildlife and environmental protection acts, which heavily regulated wildlife collecting in response to environmentalism and emerging ecological concerns after World War II. However, many of these early acts either purposefully or accidentally excluded insects from their legal definitions, as insects were seemingly not regarded as a resource to be monitored at the same level as vertebrates. Thus, entomologists were less impacted by regulatory requirements that focused more heavily on vertebrate and botanical samples and ignored invertebrates unless they were endangered or Convention on International Trade in Endangered Species (CITES) restricted.

This perception began to shift in the late 1980s and early 1990s, as countries began reviewing and tightening their earlier wildlife protection acts. Previous editions were amended to include broader definitions of animals or wildlife that included invertebrates. Over the last 25 years, the field of entomology has seen a gradual but steady shift in the

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phrasing, both in wildlife protection acts and in collecting permits and export permits, which has come to include insects.

As the regulatory landscape for insect collecting has changed, entomological collections in natural history museums are forced to update their procedures to keep pace with these international laws and new legal compliance requirements (Ministry of the Environment of Brazil 2022, Ministry of Environment and Tourism Namibia 2024, Silva and Oliveira 2017). These procedural updates help preserve biodiversity by providing a framework for ethical collecting and Access and Benefit Sharing with countries that host that biodiversity.

For the Smithsonian National Museum of Natural History's (NMNH) Department of Entomology, this has involved a multi-phase change in registration practice. First, the Office of the Registrar (OR) partnered with the Department of Entomology to hire a dedicated registrar who worked in the OR but was permanently detailed to Entomology. Second, both departments are working together to update procedures related to documentation and regulatory compliance. Finally, the departments are setting standards for new acquisitions to promote advanced planning for collecting expeditions and acceptance of large scale donations. Each phase helps bring the department into full legal compliance with global standards. Complicating this issue is nearly 50 years of diverse registration practices, from non-standardized to haphazard, which resulted in a significant backlog. This created the daunting task of resolving 1,700+ legacy acquisitions using a contemporary framework.

The NMNH defines a legacy acquisition as any acquisition that is older than two years, where the museum has not a) secured a signed Deed of Gift and/or b) not secured adequate provenance information regarding collecting agreements and permits. Because these acquisitions were not finalized at the time of their collection, in order to do so now, they must stand up to more rigorous modern standards. For instance, the Department must conduct research to establish provenance information proving that permits were not needed at the time for collection or export of the materials.

How do we resolve legacy acquisitions with modern standards and with difficult and often contradictory laws regarding wildlife collection by scientists? Doing so can prove challenging based on the available information in the original record. As with all best practices, the standards of what level of information was recorded at the time of acquisition differs greatly, with some records showing only the most top level information (e.g., "9,000 insects, Diptera primarily, USA"). Some of the methods deployed by the Registrar's Office include:

- Looking for the original holotype manuscript if the original transaction record lists holotypes or paratype specimens. A manuscript that lists the NMNH as a designated repository can stand in as intent to donate.
- Conducting significant legal research into the country where the specimens are said to have originated from, related to the date of the acquisition, to see how wildlife was and is defined in protection laws.

- Researching the donor through recent publications to attempt to find their most recent affiliation and contact information (and whether they are still living).
- Taking advantage of correspondence notes left behind by previous curators to find mention of incoming donations that correlate to dates of receipt.

How do we better inform and educate collectors and scientists about new regulations and registration practices? The joint departments of OR and Entomology are working to slowly change the perception of registrarial work with entomologists. Department researchers are encouraged to share their travel plans ahead of time with the registrar, so that guidance can be given in regards to what permits are needed. When permits are able to be obtained prior to travel, they are often shared with the registrar ahead of time for review, so that they can advise on what, if any, extra documentation or permissions the researcher should obtain before leaving. Trainings in registrar procedures is ongoing and quarterly, to help familiarize researchers with the procedures and explain why certain questions are asked. Donors are asked to fill out a provenance statement form, which asks if permits were needed at the time of collection.

Documenting proper provenance and legal title has become increasingly critical as international legislation continues to evolve following the Nagoya Protocol on Access and Benefits Sharing, and as a result, one can expect increased difficulty in the collection and accessioning of entomological specimens. Any cultural heritage institution can use the methods highlighted above to build a robust, responsible program for documenting provenance context for legacy acquisitions and appropriately documenting future entomology acquisitions.

Keywords

museum registration best practices, registrar, donations, permits, Access and Benefits Sharing, Nagoya Protocol

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Conflicts of interest

The authors have declared that no competing interests exist.

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